

UNITED STATES DISTRICT COURT
for the
Eastern District of Michigan

United States of America

v.

Javier PEREZ-RAMIREZ (a/k/a Daniel PEREZ-RAMIREZ)

Case No.

Case: 2:24-mj-30488

Assigned To : Unassigned

Assign. Date : 11/13/2024

Description: RE: JAVIER
PEREZ-RAMIREZ (EOB)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of November 9, 2024 in the county of Macomb in the
Eastern District of Michigan, the defendant(s) violated:

Code Section

8 USC 1326(a), (b)(1)

Offense Description

Unlawful Re-entry after Removal from the United States

This criminal complaint is based on these facts:

On or about November 9, 2024, in the Eastern District of Michigan, Southern Division, Javier PEREZ-RAMIREZ, a/k/a Daniel PEREZ-RAMIREZ, an alien from Mexico who had previously been convicted of a felony offense and was subsequently denied admission, excluded, deported, and removed from the United States on or about September 7, 2019, was found in the United States without having obtained the express consent of the Attorney General of the United States or the Secretary of Homeland Security to re-apply for admission thereto; in violation of 8 USC §1326(a), (b)(1).

☒ Continued on the attached sheet.

*Complainant's signature*

Sarah Soles, Border Patrol Agent

Printed name and title

Sworn to before me and signed in my presence.

Date: November 13, 2024*Judge's signature*City and state: Detroit, Michigan

David R. Grand, United States Magistrate Judge

Printed name and title

AFFIDAVIT

I, Sarah A. Soles, declare the following under penalty of perjury:


1. I am a Border Patrol Agent with the United States Border Patrol and I have been employed in this capacity since June of 2009. Currently, I am assigned to the Marysville Border Patrol Station. The facts set forth herein are based upon my personal knowledge as well as information provided by other law enforcement officers to include Border Patrol Agents and record checks of law enforcement databases. I have also reviewed material from the official immigration file and system automated data relating to Javier PEREZ-RAMIREZ (a/k/a Daniel PEREZ-RAMIREZ), which attests to the following:
2. Javier PEREZ-RAMIREZ is a fifty-two-year-old male, native and citizen of Mexico, who claims to have entered the United States at or near Laredo, Texas on an unknown date in 2019, without being admitted, inspected or paroled by an Immigration Officer.
3. On May 11, 1997, PEREZ-RAMIREZ was arrested in Lincoln Park, Michigan and charged with Operating While Under the Influence. PEREZ-RAMIREZ was convicted of Operating While Under the Influence on July 30, 1997, and sentenced to one day in jail and fines totaling \$485.
4. On March 19, 2001, PEREZ-RAMIREZ was arrested in Lake Orion, Michigan and charged with Operating While Intoxicated/Impaired 2nd Offense. PEREZ-RAMIREZ was convicted of Operating While Intoxicated/Impaired 2nd Offense on May 23, 2001, and sentenced to pay \$1,729 in fines.
5. On August 4, 2004, PEREZ-RAMIREZ was arrested by Marysville Border Patrol Agents in Macomb County, Michigan. PEREZ-RAMIREZ was served a Notice to Appear and was subsequently ordered removed by an Immigration Judge in Detroit, Michigan on January 19, 2005. PEREZ-RAMIREZ was removed from the United States to Mexico on April 18, 2005, via Laredo, Texas.
6. On June 9, 2005, PEREZ-RAMIREZ was arrested by the U.S. Border Patrol near Sasabe, Arizona after entering the United States illegally. PEREZ-

RAMIREZ was processed as an Expedited Removal and subsequently removed from the United States to Mexico on June 10, 2005, via Naco, Arizona.


7. On June 14, 2005, PEREZ-RAMIREZ was arrested by the U.S. Border Patrol near Calexico, California after illegally entering the United States. PEREZ-RAMIREZ was granted a Voluntary Return back to Mexico on that date.
8. On December 18, 2008, PEREZ-RAMIREZ was arrested by the U.S. Border Patrol near Troy, Michigan. PEREZ-RAMIREZ' prior Order of Removal was reinstated, and he was subsequently removed from the United States to Mexico on December 30, 2008, via Laredo, Texas.
9. On February 13, 2017, PEREZ-RAMIREZ was arrested by the ICE Detroit Fugitive Operations Team and his prior Order of Removal was reinstated. PEREZ-RAMIREZ was convicted of Unlawful Reentry in violation of 8 USC §1326 and was sentenced to six months' incarceration on August 17, 2017. PEREZ-RAMIREZ was removed from the United States to Mexico on September 6, 2017, via Alexandria, Louisiana.
10. On February 6, 2019, PEREZ-RAMIREZ was arrested by the U.S. Border Patrol near Sasabe, Arizona. PEREZ-RAMIREZ' Order of Removal was reinstated. PEREZ-RAMIREZ was convicted of Unlawful Reentry in violation of 8 USC §1326 on April 11, 2019, and on August 19, 2019, was sentenced to seven months' incarceration. PEREZ-RAMIREZ was removed from the United States to Mexico on September 7, 2019, via Nogales, Arizona.
11. On November 9, 2024, PEREZ-RAMIREZ was arrested by the U.S. Border Patrol near Washington Township, Michigan. PEREZ-RAMIREZ' prior Order of Removal was reinstated.
12. The aforementioned arrest and subsequent detention was an administrative, non-criminal action made pursuant to the authority found in sections 1357, 1225, 1226, and/or 1231 of Title 8, United States Code to arrest and detain any alien entering or attempting to enter the United States, or any alien present in the United States, who is reasonably believed to be in violation of

any law or regulation regulating the admission, exclusion, expulsion, or removal of aliens.

13. Review of records from the alien file (A# xxx xxx 350) for PEREZ-RAMIREZ and queries in U.S. Department of Homeland Security databases confirm that no record exists of PEREZ-RAMIREZ obtaining permission from the Attorney General or the Secretary of the Department of Homeland Security to re-apply for admission to the United States following his last removal on September 7, 2019.
14. Based on the above information, there is probable cause to believe that, on or about November 9, 2024, at or near Washington Township, in the Eastern District of Michigan, Southern Division, Javier PEREZ-RAMIREZ (a/k/a Daniel PEREZ-RAMIREZ), an alien from Mexico who had previously been convicted of a felony offense and was subsequently denied admission, excluded, deported, and removed therefrom on or about September 7, 2019, at or near Nogales, Arizona, was found in the United States not having obtained the express consent from the Attorney General of the United States or from the Secretary of the Department of Homeland Security to re-apply for admission thereto; in violation of Title 8, United States Code, Section 1326(a), (b)(1).


Sarah A. Soles, Border Patrol Agent
U.S. Department of Homeland Security

Subscribed and sworn to before me in my
presence and/or by reliable electronic means.


Honorable David R. Grand
United States Magistrate Judge

November 13, 2024